

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 6, 1951.
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll Call:

Present: Councilmen Johnson, Long, White, Mayor Drake
Absent: Councilman MacCorkle

Present also: B.H. Cruce, Asst. City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works; R. D. Thorp, Chief of Police.

Councilman White moved that since copies of the minutes of the last meeting of the City Council have been furnished Council members by the City Clerk, the reading of the minutes be dispensed with and that the minutes be adopted. Upon being seconded by Councilman Johnson, the motion was adopted by the Council and the Minutes so approved.

The request of the Southern Union Gas Company for increase in rates was brought up for discussion. Councilman Long thought that no increase should be granted at this time until world conditions became more stable. She suggested otherwise that since the Telephone Company had also made a similar request for rate increase, that a rate expert be employed to study this. Mayor Drake wanted to keep the two applications separate, as there was a lot of difference in the problems; and he asked that a public hearing be called so as to get the reaction of the people. Councilman White believed this should be prolonged until Councilman MacCorkle returned. He inquired of Mr. Lawlor what he considered a fair rate to be. Mr. Lawlor answered his questions, stating they were allowed 6½% and they were making less than three percent. Councilman Johnson moved that a public hearing on this application be set for Tuesday, September 18th, but the motion failed to receive a second. MR. SCOTT HUGHES, with the Southern Union Gas Company, expressed appreciation for the thought given by the Council in approaching this problem. He said from the Company's standpoint, there was no intention or effort to get the maximum return which the law would permit; and on the instructions of their rate expert, they kept the requested increase to a minimum which would permit the company to carry on the good type of service which Austin has here now.

He mentioned the City of Austin was running utilities as large as the Gas Company and had its experts, and had access to the Railroad Commission's experts. He asked early action on their request. He explained on Councilman Long's inquiry that when the rate was adjusted downward, the Company was getting approximately the legal rate of return of six or six and one-half percent; and their change in pipe lines was the factor in bringing about the decrease in rate. The critical problem causing them to ask for the rate has occurred in the last year and a half. Mayor Drake announced this would be brought up again next Thursday.

MR. RALPH CAMPBELL, representing the Junior Chamber of Commerce, asked the Mayor to proclaim the week of SEPTEMBER 15 - 22, 1951, as CRUSADE FOR FREEDOM WEEK. This week was proclaimed by the Mayor signing the proclamation. Councilman Long moved that the Council go on record approving the Proclamation issued by the Mayor and lauding the Junior Chamber of Commerce in its efforts. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake
Noes: None
Absent: Councilman MacCorkle

The Council had before it the request of the Southwestern Bell Telephone Company, filed with the City Clerk September 1, 1951, for increase in rates. No action was taken by the Council and the Mayor stated he would like to acknowledge receipt of this request. (Request and supporting data on file in City Clerk's Office under " TELEPHONE - Rates ")

The Mayor read a letter from County Judge Tom Johnson, setting a meeting of the Commissioners' Court and the City Council at 2:00 P.M., September 7, 1951, to discuss the problem of consolidation of the welfare department as requested by the Mayor. As Councilman MacCorkle was out of the City, and as Councilman Long was going out of town, the Mayor stated he would write Judge Johnson and set a later date.

The Council received a memorandum from the City Attorney to the City Manager pertaining the claim of MRS. L. W. GOLDEN for damage to the floors of her house at 1202 Norwood, caused by water flowing into her house during a heavy rain in June. This memorandum dated August 22, 1951, stated that the City was not liable for any of the damages which were sustained. (This claim had been called to the attention of the Council on June 14, 1951, and August 16, 1951) The Council took note of the conclusion of the City Attorney and the Mayor suggested that Mrs. Golden be written and a copy of the memorandum sent to her.

Councilman Johnson submitted a request for a street light at 43rd and Rosedale on the west side of Ramsey Park, requested by the Ladies Club, at the Park. Councilman Long asked that this be called to the attention of the City Manager along with other requests for street lights.

Mayor Drake introduced the following ordinance:

AN ORDINANCE PRESCRIBING REGULATIONS FOR INSTALLATION AND MAINTENANCE OF FIRE PROTECTIVE DEVICES IN VARIOUS TYPES OF OCCUPANCIES AND USES; REQUIRING REPORTS TO THE FIRE MARSHAL OF BUILDINGS UNDERGOING REPAIRS AND ALTERATIONS; PRESCRIBING PENALTIES; PROVIDING THE LICENSING AND BONDING OF PERSONS ENGAGED IN THE BUSINESS OF SELLING OR SERVICING FIRE EXTINGUISHERS; PROVIDING FOR ENFORCEMENT OF ORDINANCE BY INJUNCTION; REPEALING A PART OF A CERTAIN ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

Councilman Long moved that a public hearing be set on the ordinance just introduced, pertaining to prescribing regulations for installation of fire protective devices, etc., Thursday, September 13, at 10:00 A.M. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake
Noes: None
Absent: Councilman MacCorkle

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northeast corner of the intersection of Burnet Road and Clay Avenue which property fronts 248.5 feet on Burnet Road and 210 feet on Clay Avenue, and being known as Block 3, of Broadacres in the City of Austin, Travis County, Texas, and hereby authorizes the said Stuart Watt to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, Traffic and Fire Regulations; and the right of revocation is retained, if, after hearing, it is found by the City Council that the said Stuart Watt has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"September 6, 1951

"Mr. Walter Seaholm
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Stuart Watt for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the northeast corner of the intersection of Burnet Road and Clay Avenue which property fronts 248.5 feet on Burnet Road and 210 feet on Clay Avenue, and being known as Block 3, of Broadacres in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Stuart Watt and we hereby advise that the following conditions exist:

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the Zoning maps of the City of Austin.

"There are no storm water drainage facilities in place adjacent to this property. The storm sewer and surface drainage from this filling station is to be disposed of in such a manner that such water and other surface drainage will not flow across the sidewalk area into the street. However, there is a proposed storm sewer (under contract) to be built in Houston Street adjacent to the above described property.

"We recommend that Stuart Watt be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

"(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways, building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of the Underwriters Laboratories, Inc.; that all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of Commercial water or oils upon the City streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the Department of Public Works file number 2-H-1043.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-1043 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection before such filling station can be put into service.

"Respectfully submitted,
(Sgd) C. G. Levander
Director of Public Works

(Sgd) J. C. Eckert
Building Inspector "

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake

Noes: None

Absent: Councilman MacCorkle

The Council received the following letter:

"September 4, 1951

"Honorable Mayor and City Council
City of Austin
Austin, Texas

"Gentlemen:

"Change of Zoning from "A" Residence District to "B" Residence District on Property 400 feet west of South Congress Avenue in the 2400 block

"At a regular meeting of the City Plan Commission on August 23, 1951, the above named property was studied at length and it was unanimously decided by those members present that, in actuality, the request by Mr. Allen should be submitted in the form of a subdivision layout, together with a plan showing the type of development contemplated on the property, before a decision could be reached.

"The size and shape of the property and its relationship to adjoining properties make it inadvisable to grant a zoning change without previous knowledge of the proposed subdivision or proposed use of the property. It is suggested that Mr. Allen be requested to submit a subdivision layout.

"Respectfully submitted,
CITY PLAN COMMISSION
By (Sgd) George W. Sandlin
George W. Sandlin, Chairman "

Councilman Long moved that the City Manager write to Mr. H. P. Allen and attach a copy of this letter. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake
Noes: None
Absent: Councilman MacCorkle

The Council received the following letter:

"September 4, 1951

"Honorable Mayor and City Council
City of Austin
Austin, Texas

"Gentlemen:

"Property along Lamar Boulevard from 28th Street to West
34th Street, and along West 29th Street from Lamar
Boulevard to Rio Grande Street

"At a regular meeting of the City Plan Commission on August 23, 1951, a motion was made, seconded and duly carried, that a recommendation cannot be made on this area until a more intensive study is made of this section of the City as to land use, existing zoning and non-conforming uses. The City Plan Commission considers the zoning on boulevards and thoroughfares of utmost importance and feels that studies now under way should be completed before any zoning changes are made in this area.

"At the earliest possible date the results of these studies will be made available to the Council and a recommendation then made.

"Respcetfully submitted,
CITY PLAN COMMISSION
By (Sgd) George W. Sandlin
George W. Sandlin, Chairman "

The Council received the following letter:

"September 4, 1951

"Honorable Mayor and City Council
City of Austin
Austin, Texas

"Gentlemen:

"Application of Marvin B. Braswell for a change in zoning
from "A" Residence to "C" Commercial on property bounded
by Houston Street, Woodrow Avenue and Grover Evenue

"At a regular meeting of the City Plan Commission on August 23, 1951, a motion was made, seconded and unanimously carried, that this change be not recommended. However, the Commission does recommend that the property be zoned "B" Residence.

"The applicant does not own sufficient property to develop a neighborhood community center with sufficient off-street parking area and, secondly, its location across from a public school is not an ideal location for a community center unless it could be located on a boulevard or thoroughfare, making it accessible without interfering with school traffic.

"Also, under the present zoning ordinance, there is no legal means of requiring adequate off-street parking, limiting curb breaks or requiring adequate setback.

"It is suggested that this property not be changed to "C" Commercial for reasons as stated above.

"Respectfully submitted,
CITY PLAN COMMISSION
By (Sgd) George W. Sandlin
George W. Sandlin, Chariman "

The Mayor stated Mr. Braswell was willing to put an instrument on record making certain agreements regarding his building at this location under consideration. The City Manager was asked to write Mr. Braswell, and attach a copy of this letter from the City Plan Commission.

The Council received the following:

"September 5, 1951

To: Mr. W. E. Seaholm, City Manager
From: W. H. Klapproth, Traffic Engineer
Subject: Stop Signs along Through Thoroughfares - East Second Street
from East Avenue to Comal Street

"East Second Street has been designated as a through-thoroughfare in view of the ultimate extension of this street and as a relief artery for East First Street.

"In line with our policy to provide appropriate protection along through-thoroughfares it is proposed to erect stop signs along East Second Street at the following intersections which are not protected at this time.

<u>On</u>	<u>At</u>	<u>Entrance</u>
Navasota Street	East Second Street	North & South
Attayac Street	East Second Street	North & South
Brushy Street	East Second Street	North & South
East Second Street	East Avenue	East

"It is requested that an appropriate ordinance be enacted to authorize the installation of stop signs at the above locations.

(Sgd) WHK
W. H. Klapproth
Traffic Engineer "

Councilman Long moved that the City Manager have prepared an ordinance covering the installation of stop signs as recommended here by the Traffic Engineer. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake
 Noes: None
 Absent: Councilman MacCorkle

The Council received the following:

"September 5, 1951

To: Mr. W. E. Seaholm, City Manager
 From: W. H. Klapproth, Traffic Engineer
 Subject: Two-Hour Parking Time Limitations in Area Immediately East of Austin High School

"During the 1950-51 school year we received almost continuous complaints relative to parking from doctors who have their offices or clinics in the area bounded by Rio Grande, 15th, Guadalupe, and 13th Streets. The complaints were in nearly all cases directed toward high school students who occupied curb parking spaces throughout the day making it difficult for patients to find space within which to park. This condition will again become acute with the resumption of classes at the Austin High School next week.

"We have made a survey of the entire area and find about 70 doctors located in the same plus numerous apartment houses. To alleviate this condition it is recommended that an appropriate ordinance be enacted to provide for a two-hour parking time limitation along the following streets:

<u>Street</u>	<u>Curb</u>	<u>From</u>	<u>To</u>
Rio Grande Street	East	13th Street -	16th Street
Guadalupe Street	East & West	14th Street -	15th Street
West 15th Street	North & South	Rio Grande Street -	San Antonio St.
West 14th Street	North & South	Rio Grande -	Nueces Street
West 14th Street	South	Nueces -	San Antonio Street
West 13th Street	South	Rio Grande -	San Antonio Street

(Sgd) WHK
 W. H. Klapproth
 Traffic Engineer "

Councilman Long moved that the City Manager have prepared an ordinance authorizing the two-hour parking limitations as here recommended by the Traffic Engineer. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake
 Noes: None
 Absent: Councilman MacCorkle

The Council received the following:

"September 5, 1951

To: Mr. W. E. Seaholm, City Manager
 From: W. H. Klapproth, Traffic Engineer
 Subject: Passenger Zone in front of Bolm Building, 308 West 15th Street.

"We have made an investigation to determine the need for the installation of a Passenger Zone in front of the recently completed Bolm Building, 308 West 15th Street, and recommend that such a zone be installed.

"It is requested that an appropriate ordinance be enacted to authorize the installation of a passenger zone -

---Along the north curb of West 15th Street, beginning at a point 50 feet East of the east property line along Guadalupe Street and extending east for a distance of 30 feet.

(Sgd) WHK
W.H. Klapproth
Traffic Engineer "

No action was taken on this recommendation at this time, as Councilman Long wanted to make a personal inspection of this location.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with Colorado Realty & Loan Co., a corporation, in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On file under Water Main Extensions. Contract File No. 533-C)

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Johnson, Long, White, Mayor Drake
Noes: None
Absent: Councilman MacCorkle

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with E. R. Sims, Tom B. Bagley and Margaret Sims Bagley, in accordance with the terms and provisions of a certain contract, copy of which is attached to this Resolution, and marked by the City Clerk for purposes of identification, and the City Clerk is hereby directed to file for permanent record in the office of the City Clerk the attached copy of said contract without recordation in the Minutes of the City Council. (On file under Water Main Extensions. Contract File No. 535-0)

The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake
Noes: None
Absent: Councilman MacCorkle

Regarding the recommendation of the Traffic and Safety Board under date of August 10, 1951, and considered at the Council Meeting on August 16, pertaining to Parallel parking along the east curb of Colorado Street from West 7th to West 8th Street, Councilman White moved that this recommendation be approved, and the City Attorney instructed to draw up the necessary ordinance. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake
Noes: None
Absent: Councilman MacCorkle

Mayor Drake requested that the Traffic Engineer make a study of stop sign installations on South Congress Avenue.

MR. O. ASHLEY complained of a bad traffic condition at 15th and West Avenue and suggested the islands be removed in 15th Street.

Councilman Long requested that the Traffic Engineer study Red River Street and 24th Street to see if a signal light were needed. In line with a discussion on Red River, Mr. Levander reported to the Council that Mr. Fincher of the Highway Department would work with the City on rerouting the trucks. The Highway Department is going to place signs on the highway to reroute the traffic. Councilman Long thought if this traffic were rerouted, it might not be necessary to place signal lights on Red River, and stop signs might solve the problem.

Councilman White inquired about progress on buying right-of-way on the Interregional Highway from 1st Street to the River. He understood the State would not make any plans for the bridge until they knew exactly the route and until the City purchased the right-of-way. The Director of Public Works said the Highway Department would have their plans, but would not let any contracts. He explained the buying of this right-of-way depended on bond money, and if another bond issue is sold next month, the money would be available. Councilman White stated the Highway Department would start that bridge within the next two or three years; and until that bridge is constructed, a lot of traffic would be thrown on First Street and Congress Avenue Bridge.

Councilman Long inquired about the removal of telephone and light poles in the north area where they are letting the contract for continuing the Highway. The Director of Public Works stated under the present contract, everything had been cleared--that the rest was up to the County. (This pertained to the Inter-regional Highway.) On the 19th Street Farm-to-Market Road, a work-order had been issued for the removal of the poles on that project.

Councilman White made inquiry about the progress of Yeates Avenue. It was stated it was just about completed.

MR. KEN RIDER appeared before the Council to express appreciation for filling in the property on Wilshire Boulevard and Airport Boulevard.

Councilman Long moved that the Council authorize the Acting City Manager to enter into a contract with ALEX DOCHEN, by the terms of which he will convey to the City 61.9x46.6' of Lot 3, Block 176, Original City, located on 14th Street and pay \$3,000 in cash in consideration of the City of Austin deeding to Dochen a portion of Block 3 of Plainview Heights, fronting approximately 100 feet on East Avenue and running back a distance of 66', and Lot 6, Block 1, Eden Acres. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake
 Noes: None
 Absent: Councilman MacCorkle

Councilman Long moved that the following be appointed as members to the ELECTRICAL BOARD:

MASTER ELECTRICIANS	JOURNEYMAN ELECTRICIANS
W. K. Jennings, Jr.	Marcus Loftis
E. D. Grimmer	
ELECTRICAL ENGINEER	PROPERTY OWNER
Wm. G. Darley	Dave Shipwash

The motion, seconded by Councilman White, carried by the following vote:
 Ayes: Councilmen Johnson, Long, White, Mayor Drake
 Noes: None
 Absent: Councilman MacCorkle

The Council received a petition signed by approximately 65 citizens protesting the operation of POUND'S PLACE, 1701 East First Street, and asked that the Council take such steps as necessary to revoke the license. It was brought out in a letter of explanation that there was a disgraceful drunken brawl conducted at this place in which two were hospitalized and about seven were jailed. Councilman Long moved that the Mayor write a letter to the Liquor Control Board asking them to investigate this establishment and take proper action. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, White, Mayor Drake
 Noes: None
 Absent: Councilman MacCorkle

There being no further business the Council adjourned subject to the call of the Mayor.

APPROVED: W. S. Drake
 Mayor

ATTEST:

Elin Hooley
 City Clerk